

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC. CIVIL APPLN. (CONTEMPT PETITION) No 476 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE S.M.SONI

and

MR.JUSTICE R.R.JAIN

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JAMALUDDIN V KAZI

Versus

ABUBAKER A SODAGAR

Appearance:

MR HJ NANAVATI for Petitioner

MR ND NANAVATI for Respondent No. 1

MR BM MANGUKIYA for Respondent No. 2

MR Y.F. MEHTA, A.G.P. for respondent No.3.

CORAM : MR.JUSTICE S.M.SONI and

MR.JUSTICE R.R.JAIN

Date of decision: 12/09/96

ORAL JUDGEMENT (Per Soni, J.)

After filing of this petition, petitioner has been

reinstated as disclosed before this Court on 17.10.1995. Thereafter now the question of arrears remains to be considered. In view of our judgment in the case of Girish Chandra Bhatt reported in 37 (1) GLR 523, order of the Education Tribunal is executable Contempt is not a substitute for execution as held by the Supreme Court in the case of the Alahar Cooperative Credit Service Society v. Sham Lal, reported in 1995 (2) GLH 550. Hence, the petition now does not survive and is liable to be dismissed. Hence the application is dismissed. Rule is discharged. No order as to costs.